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14th September 2018

Our Ref: FOI2018/04662

**REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/04662**

I write in connection with your request for information received on 19th August. I note you seek access to the following information:

**I request the following information under the statutory authority of the Freedom of Information Act, 2000:-  
Between the 4th and 11th August 2018:**

**How many road side drug tests were carried out by officers of the Hertfordshire Constabulary on drivers after road traffic accidents? [please state number, if none please say so]**

**How many drugs test were carried out in police stations of the Hertfordshire Constabulary on drivers after road traffic accidents? [ please state number, if none please say so]**

**Of the tests carried out how many tests on drivers tested [a] positive, and; [b] negative? [please state number]**

**You will be aware that you are required by the FOIA to provide this information 'as soon as reasonably practicable' which I believe in this case it should take a matter of minutes to locate this information, so I suggest by close of business tomorrow would be reasonable.**

**If you cannot make this reasonable timespan then please let me know the reasons as to why by close of business tomorrow.**

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

Following enquiries within the Constabulary please see our response below.

**Response - -** In order to ascertain how many drug wipe tests have been carried out by Hertfordshire Constabulary each individual custody record would require manually checking to see if a wipe was used.

We therefore, consider that the cost of complying with your request for information would exceed the appropriate limit of £450 as has been stated in the Freedom of Information (Fees & Appropriate Limit) Regulations 2004. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 (2) of the Freedom of Information Act.

Section 12(1) of the Freedom of Information Act 2000 provides that –  
“(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.  
(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.”

Section 17(5) of the Freedom of Information Act 2000 requires Bedfordshire Police, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice under Section 12 (2) of the Freedom of Information Act.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

James Hodson  
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.